

## APPENDIX.

## Committee on Enrolled Bills.

Committee Room,

Austin, Texas, January 31, 1934.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 1 carefully examined and compared and find same correctly enrolled.

MOORE, Vice-Chairman.

## Committee Reports.

Committee Room,

Austin, Texas, January 31, 1934.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Highways and Motor Traffic, to whom was referred

S. B. No. 4, A bill to be entitled "An Act releasing all interest and penalties on registration fees on motor vehicles for which a license fee is due on or before January 31, 1934, and extending the time of payment of same until April 1, 1934, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, with the attached committee amendment, and be not printed.

DeBERRY, Vice-Chairman.

Committee Room,

Austin, Texas, January 31, 1934.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Highways and Motor Traffic, to whom was referred

H. B. No. 5, A bill to be entitled "An Act releasing all interest and penalties on registration fees on motor vehicles for which a license fee is due on or before February 1, 1934, and extending the time of payment of same until March 31, 1934; repealing all laws and parts of laws in conflict herewith during the term of this Act; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, with committee amendments attached, and be not printed.

MARTIN, Chairman.

## Committee Amendment.

Amend H. B. No. 5, by adding thereto a section to be known as "Section 2-a," to read as follows:

"The compliance by any person entitled to the benefits of this Act with the terms hereof when pleaded and proved to the satisfaction of the court or jury trying the case, shall be a defense to any criminal prosecution for any act committed on or before March 31, 1934, which otherwise would be unlawful under Section 14-d or Section 14-e, of Chapter 88 of the General Laws of the Second Called Session, Forty-first Legislature."

Committee Room,

Austin, Texas, January 31, 1934.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Highways and Motor Traffic, to whom was referred

H. B. No. 6, A bill to be entitled "An Act providing that application for the renewal of registration of a vehicle for any calendar year shall be made not later than March 31 of that year, and providing that during the months of January, February and March of each year, it shall be lawful to operate any such vehicle under the license number plates and license issued for such vehicle for the preceding calendar year; defining the word 'vehicle'; providing this Act shall take effect and be in force, beginning in the year 1935, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

MARTIN, Chairman.

## FOURTH DAY

Senate Chamber,

Austin, Texas,

February 1, 1934.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Edgar E. Witt.

The roll was called, a quorum being present, the following Senators answering to their names:

Blackert.	Patton.
Collie.	Parr.
Cousins.	Poage.
DeBerry.	Purl.
Duggan.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.
Pace.	

Absent—Excused.

Beck.	Greer.
Fellbaum.	Rawlings.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

#### Petitions and Memorials.

(See Appendix.)

#### Committee Reports.

(See Appendix.)

#### Senator Excused.

On motion of Senator Patton, Senator Greer was excused for the day on account of important business.

#### S. C. R. No. 1.

Senator Moore called up from the table S. C. R. No. 1, the sine die resolution, for consideration at this time.

By unanimous consent the rule requiring resolutions to be referred before consideration was suspended.

Senator Moore sent up the following amendment:

Amend Senate Concurrent Resolution No. 1 by striking out the words and figures "Midnight, February 7, 1934" and insert in lieu thereof the words and figures "12:00 o'clock, noon, February 10, 1934."

The amendment was read and adopted.

The resolution, as amended, was read and adopted.

#### Senate Bill No. 4.

By unanimous consent, S. B. No. 4, relating to license fees, was postponed indefinitely.

#### Executive Session Set.

On motion of Senator Martin, the time for Executive Session of the Senate was set at 11 o'clock a. m. today.

#### Recess.

On motion of Senator Holbrook, the Senate, at 10:10 o'clock a. m. recessed until 11 o'clock a. m. today.

#### In Session.

The Senate was called to order at 11:05 o'clock a. m. by Lieutenant Governor Edgar E. Witt.

#### Message From the House.

Hall of the House of Representatives, Austin, Texas, February 1, 1934.  
Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolutions:

H. C. R. No. 8, Providing for a joint session of the House and Senate February 1, 1934, at 2 p. m., in the Hall of the House of Representatives, to hear Colonel Lawrence Westbrook and Mr. Jack Reed.

H. C. R. No. 9, Requesting Post Office Department to issue stamps of certain designs.

Respectfully submitted,

LOUISE SNOW PHINNEY,  
Chief Clerk, House of Representatives.

#### Resolution Signed.

The Chair, Lieutenant Governor Edgar E. Witt, gave notice of signing, and did sign, in the presence of the Senate, after its caption had been read, the following resolution:

S. C. R. No. 4.

#### Resolution Referred.

H. C. R. No. 9 was referred to the Committee on Finance.

#### House Bill No. 4.

The Chair laid before the Senate H. B. No. 4.

The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

Senator Small sent up the following amendment:

Amend House Bill No. 4, Section 1, by adding the following:

"Provided further that if the record owner of such real estate and the holder of such indebtedness agree in writing that such sale shall be made on February 6th, 1934, such sale shall be valid and binding. In all such cases the agreement shall be signed by the trustee or other person making such sale and by the record owner of such real estate and shall be acknowledged and filed for record with the trustee's deed."

Amend caption to conform.

Read and adopted.

Senator Pace sent up the following amendments:

Amend H. B. No. 4, by adding at the end of section 1 after the Small amendment, the following:

"Provided that no sale advertised for the first Tuesday in February, 1934, shall be stayed unless the defendants in execution shall file with the clerk from which court execution or order of sale issued, their application in writing requesting such postponement."

Amend caption to conform.

Read and adopted.

The bill was read second time and passed to third reading.

On motion of Senator Small, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 4 was put on its third reading and final passage by the following vote:

Yeas—27.

Blackert.	Parr.
Collie.	Patton.
Cousins.	Poage.
DeBerry.	Purl.
Duggan.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.
Pace.	

Absent—Excused.

Beck.	Greer.
Fellbaum.	Rawlings.

Read third time and finally passed by the following vote:

Yeas—24.

Blackert.	Patton.
Collie.	Poage.
Cousins.	Purl.
DeBerry.	Redditt.
Duggan.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Neal.	Woodruff.
Oneal.	Woodul.
Parr.	Woodward.

Nays—3.

Holbrook.	Pace.
Murphy.	

Absent—Excused.

Beck.	Greer.
Fellbaum.	Rawlings.

Executive Session.

At 11:40 o'clock a. m., the Chair announced that the hour for the executive session had arrived. The chamber was cleared and the doors were locked.

After Executive Session.

At the conclusion of the executive session at 12:45 o'clock p. m., the Secretary of the Senate informed the Journal Clerk that the following action had been taken:

To be Chief Justice of the Court of Civil Appeals, Second Supreme Judicial District of Texas, to fill the unexpired term of Honorable Truman H. Conner, deceased:

Honorable Irby Dunklin, of Fort Worth, Tarrant County, Texas.

To be Associate Justice of the Court of Civil Appeals, Second Supreme Judicial District of Texas, to fill the unexpired term of Honorable Irby Dunklin, resigned:

Honorable A. J. Power, of Fort Worth, Tarrant County, Texas.

To be a member of the Board of Directors of Texas Technological College in place of Honorable Houston Harte:

Honorable Dennis Zimmerman, of Tulia, Swisher County, Texas.

To be Chairman of the Texas Racing Commission, in place of Honorable Frank Schofield, resigned:

Honorable Guy L. Waggoner, of Fort Worth, Tarrant County, Texas.

To be a member of the Livestock Sanitary Commission of Texas, in place of Honorable E. F. Jarrell, resigned:

Honorable Ed. Steger, of Bonham, Fannin County, Texas.

To be members of the Compensation Claim Board under the Pink Boll Worm Act:

Honorable Fred W. Davis, of Austin, Travis County, Texas; Honorable R. J. Murray, of Lubbock, Lubbock County, Texas; Honorable Joe E. Edmondson, of Palestine, Anderson County, Texas.

To be a member of the Board of Regents of the University of Texas, to fill the unexpired term of Honorable Frank Yount, deceased:

Honorable Hilmer H. Weinert of Seguin, Guadalupe County, Texas.

To be a member of Texas Civil Judicial Council in place of Honorable C. S. Bradley:

Honorable A. M. Blackmon, of Groesbeck, Limestone County, Texas.

To be a member of the Board of Regents of State Teachers' Colleges, in place of Honorable T. C. Andrews, resigned:

Mrs. J. K. Beretta, of San Antonio, Bexar County, Texas.

To be District Attorney for the Ninth Judicial District of Texas, to fill the unexpired term of Honorable W. B. Browder, resigned:

Honorable W. C. McClain, of Groveton, Trinity County, Texas.

To be members of Bank Deposit Insurance Company:

Honorable M. C. Driscoll, of Houston, Harris County, Texas; Honorable T. H. Heard, of Heidenheimer, Bell County, Texas.

To be a member of Texas Relief Commission:

Honorable E. J. Hussion, of Houston, Harris County, Texas.

To be members of the State Board of Barber Examiners for the statutory current term:

Honorable J. L. Dunn, of Corsicana, Navarro County, Texas; Honorable C. W. Dick, of Abilene, Taylor County, Texas.

To be a member of the State Board of Control for the current six year term, beginning January 1, 1934:

Honorable Henry C. Meyer, of Rockdale, Milam county, Texas.

To be Commissioner of Labor Statistics, to fill the unexpired term of Honorable Jack Flynn, deceased:

Honorable Chas H. Poe, of Houston, Harris County, Texas.

To be a member of the Texas Library and Historical Commission, in place of Elizabeth R. Houston, resigned:

Honorable Abe Gordon, of Houston, Harris County, Texas.

To be a member of the State Board of Pardons and Paroles to fill the unexpired term of Honorable J. O. Woodward, resigned:

Honorable Frank V. Lanham, of Dallas, Dallas County, Texas.

Confirmed.

### H. C. R. No. 8.

The Chair laid before the Senate H. C. R. No. 8, referring to a Joint Session at 2 o'clock p. m. today.

The resolution was read.

On motion of Senator Hopkins, the rule requiring resolutions to be referred before being considered was suspended, by unanimous consent.

The resolution was adopted.

### Recess.

On motion of Senator Hornsby, the Senate, at 12:50 o'clock p. m., recessed until 2 o'clock p. m. today.

### Afternoon Session.

The Senate was called to order at 2 o'clock p. m. pursuant to recess, by Lieutenant Governor Edgar E. Witt.

### At Ease.

On motion of Senator Hopkins, the Senate stood at ease at 2:05 o'clock p. m. for the purpose of attending the Joint Session of the House and Senate.

### In Session.

The Senate was called to order at 4:05 o'clock p. m., by Lieutenant Governor Edgar E. Witt.

### Message From the House.

Hall of the House of Representatives, Austin, Texas, February 1, 1934.  
Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has refused to concur in Senate amendments to House Bill No. 4, and requests the appointment of a conference committee to adjust the

differences between the two Houses.

The following are appointed on the part of the House:

Pope, Greathouse, Roberts, Morrison, Stinson.

Respectfully submitted,

LOUISE SNOW PHINNEY,  
Chief Clerk, House of Representatives.

#### Free Conference Request Granted.

On motion of Senator Woodward, the Senate granted the request of the House for a Free Conference Committee on H. B. No. 4.

The Chair appointed the following on the part of the Senate:

Small, Pace, Redditt, Woodward, and Poage.

#### Adjournment.

On motion of Senator Holbrook the Senate, at 4:10 o'clock p. m. adjourned until 10 o'clock a. m. tomorrow.

### APPENDIX

#### Committee on Enrolled Bills.

Committee Room,  
Austin, Texas, January 31, 1934.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. C. R. No. 4 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

#### Committee on Engrossed Bills.

Committee Room,  
Austin, Texas, February 1, 1934.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. C. R. No. 1 carefully examined and compared and find same correctly engrossed.

REGAN, Chairman.

#### Committee Reports.

Committee Room,  
Austin, Texas, January 31, 1934.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 4, A bill to be entitled "An Act to stay all sales under execution, or order of sale or under any deed of trust, mortgage or other con-

tract giving or granting any power of sale of real property for debt now advertised to be made on February 6, 1934, until the first Tuesday in March, 1934; providing that no other or further advertisement or notice of any such sale than that lawfully given for sale on February 6, 1934, shall be required for such sale on the first Tuesday in March, 1934; etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

HOPKINS, Chairman.

Committee Room,  
Austin, Texas, January 31, 1934.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 5, A bill to be entitled "An Act amending Section 3 of Chapter 215, page 719, General Laws of Texas, 43rd Legislature of Texas, 1933, providing a basis for salaries for services in summer schools at certain state supported institutions of higher learning and repealing certain provisions for the collection of certain matriculation and tuition fees from students of summer schools in certain state supported institutions of higher learning; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

WOODUL, Vice-Chairman.

### FIFTH DAY.

Senate Chamber,  
Austin, Texas,  
February 2, 1934.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Edgar E. Witt.

The roll was called, a quorum being present, the following Senators answering to their names:

Blackert.	Holbrook.
Collie.	Hopkins.
Cousins.	Hornsby.
DeBerry.	Martin.
Duggan.	Moore.